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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/674,828	10/01/2003	Steven W. Havens	65266-003 8799	
75	90 06/23/2005		EXAM	INER
DYKEMA GOSSETT PLLC Suite 300 West			NGHIEM, MICHAEL P	
1300 I Street, N.W.			ART UNIT	PAPER NUMBER
Washington, DC 20005			2863	

DATE MAILED: 06/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
	10/674,828	HAVENS, STEVEN W.
Office Action Summary	Examiner	Art Unit
	Michael P. Nghiem	2863
The MAILING DATE of this communication app Period for Reply	pears on the cover sheet with the c	orrespondence address
A SHORTENED STATUTORY PERIOD FOR REPL' THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.1 after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply If NO period for reply is specified above, the maximum statutory period of Failure to reply within the set or extended period for reply will, by statute Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	36(a). In no event, however, may a reply be tim y within the statutory minimum of thirty (30) days will apply and will expire SIX (6) MONTHS from , cause the application to become ABANDONE	nely filed s will be considered timely. the mailing date of this communication. D (35 U.S.C. § 133).
Status		
1) Responsive to communication(s) filed on	·	
<u> </u>	action is non-final.	
3) Since this application is in condition for alloward closed in accordance with the practice under E	•	
Disposition of Claims		
 4) Claim(s) 1-41 is/are pending in the application 4a) Of the above claim(s) is/are withdray 5) Claim(s) is/are allowed. 6) Claim(s) is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) 1-41 are subject to restriction and/or expressions. 	wn from consideration.	
Application Papers		
9) The specification is objected to by the Examine 10) The drawing(s) filed on is/are: a) acc Applicant may not request that any objection to the Replacement drawing sheet(s) including the correct	epted or b) objected to by the I drawing(s) be held in abeyance. See	e 37 CFR 1.85(a).
11) The oath or declaration is objected to by the Ex		
Priority under 35 U.S.C. § 119		
12) Acknowledgment is made of a claim for foreign a) All b) Some * c) None of: 1. Certified copies of the priority document 2. Certified copies of the priority document 3. Copies of the certified copies of the priority document application from the International Burear * See the attached detailed Office action for a list	s have been received. s have been received in Applicati rity documents have been receive u (PCT Rule 17.2(a)).	on No ed in this National Stage
Attachment(s)		
1) Notice of References Cited (PTO-892)	4) Interview Summary Paper No(s)/Mail Da	
 Notice of Draftsperson's Patent Drawing Review (PTO-948) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 		ate Patent Application (PTO-152)

Application/Control Number: 10/674,828

Art Unit: 2863

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

 Claims 1-26 and 37, drawn to a method of correlating raw transducer data, classified in class 702, subclass 189.

II. Claims 27-36 and 38-41, drawn to an apparatus for the acquisition, archiving, exchanging, and processing of raw transducer data, classified in class 702, subclass 116.

The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are related as process and apparatus for its practice. The inventions are distinct if it can be shown that either: (1) the process as claimed can be practiced by another materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process. (MPEP § 806.05(e)). In this case the method of Invention I can be practiced by another apparatus different from the apparatus of Invention II such as an apparatus for collecting transducer data without a transducer adapter for producing a transducer markup language output representative of the data.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

A telephone call was made to Mr. John Deluca on June 17, 2005 to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Nghiem whose telephone number is (571) 272-2277. The examiner can normally be reached on M-H.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on (571) 272-2269. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2863

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MICHAEL NGHIEM PRIMARY EXAMINER

Michael Nghiem

June 17, 2005